UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

MILDRED W. FINCH, et al.,)	CASE NO. 1:02 CV 132
)	
Plaintiffs,)	
)	
vs.)	JUDGE SANDRA S. BECKWITH
)	
GEORGE FIORINI, DBA FIORINI)	
AGENCY, et al.,)	SANITEC INDUSTRIES, INC.'S
)	MOTION TO INTERVENE
Defendants.)	FOR LIMITED PURPOSE

Pursuant to Fed. R. Civ. P. 24, Sanitec Industries, Inc. ("SII") seeks an Order from this Court allowing it to intervene as a nominal defendant, solely for the limited purpose of responding to this Court's Show Cause Order dated August 30, 2004 (Docket No. 106), and to seek the denial of plaintiffs' motion for leave to file a third amended complaint (Docket No. 105). SII has legal interests herein that are not being adequately represented by the current parties.

For the reasons more fully set forth in the attached memorandum in support, SII respectfully requests an Order allowing it to intervene in this action. A proposed Order is attached hereto for the Court's convenience.

Dated: September 10, 2004

Respectfully submitted,

/s/ Dan L. Makee

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Motion to Intervene was filed electronically with this Court on this 10th day of September, 2004 and that all parties will be served via the Court's electronic filing system, with a copy also being served via regular U.S. Mail on this same date to:

> William B. Singer, Esq. 621 East Mehring Way, #1609 Cincinnati, Ohio 45202

Attorney for Plaintiff

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